

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Chapter 11 Case No. 08-13555 (JMP)

LEHMAN BROTHERS HOLDINGS INC.,
et al.,

Debtors.

FEDERAL HOUSING FINANCE
AGENCY, individually and as Conservator
of Federal Home Loan Mortgage
Corporation,

13 Civ. 07481 (LGS)

Plaintiff,

v.

LEHMAN BROTHERS HOLDINGS INC.,

Defendant.

**DECLARATION OF MICHAEL J. CANNING IN SUPPORT OF THE
SUPPLEMENTAL MEMORANDUM OF THE FEDERAL HOUSING FINANCE
AGENCY AND THE FEDERAL HOME LOAN MORTGAGE CORPORATION
IN OPPOSITION TO LEHMAN BROTHERS HOLDING INC.'S
MOTION TO CLASSIFY**

I, Michael J. Canning, under penalty of perjury declare as follows:

1. I am a member of the law firm of Arnold & Porter LLP, attorneys for the Federal Housing Finance Agency ("FHFA"). I submit this declaration in support of the *Supplemental Memorandum of the Federal Housing Finance Agency and the Federal Home Loan Mortgage Corporation in Opposition to Lehman Brothers Holding Inc.'s Motion to Classify*, and pursuant to the request of the Bankruptcy Court that each of Lehman Brothers Holding Inc. ("LBHI") and

FHFA/Federal Home Loan Mortgage Corporation ("Freddie Mac") provide the Court with copies of their respective pleadings filed in the District Court action.

2. A true and correct copy of the documents filed by FHFA/Freddie Mac in the District Court action is attached:

Exhibit 1: Memorandum in Support of Motion to Withdraw the Reference, filed October 23, 2013 [ECF No. 1]

Exhibit 2: Declaration of Nancy G. Milburn in Support of Motion to Withdraw the Reference, filed October 23, 2013 [ECF No. 2]

Exhibit 3: Letter to Judge Lorna G. Schofield from Nancy G. Milburn, filed October 29, 2013 [ECF No. 6]

Exhibit 4: Letter to Judge Lorna G. Schofield from Nancy G. Milburn, filed November 11, 2013 [ECF No. 14]

Exhibit 5: Reply Memorandum in Support of Motion to Withdraw the Reference, filed November 11, 2013 [ECF No. 15]

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 10, 2014
New York, New York

/s/ Michael J. Canning
Michael J. Canning